



To the Honorable Council  
City of Norfolk, Virginia

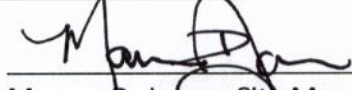
July 19, 2016

From: George M. Homewood, FAICP, CFM, Planning Director

Subject: **Zoning Text Amendment to section 2-3, "Definitions," of the *Zoning Ordinance* to amend the definition of "Family" and "Group Home," add new definitions for "Disabled Individual" and "Single Housekeeping Unit," and make related reference changes throughout in order to better align the *Zoning Ordinance* with both State and Federal law regarding reasonable accommodations for any individuals protected by the provisions of the Americans with Disabilities Act or the Fair Housing Act**

Reviewed:   
Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: Citywide

Approved:   
Marcus D. Jones, City Manager

Item Number: **PH-1**


- I. **Staff Recommendation:** Approval.
- II. **Commission Action:** By a vote of **6 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** The request amends the definitions of "Family" and "Group Home" as defined within the City's *Zoning Ordinance*, add definitions for "Disabled Individual" and "Single Housekeeping Unit," and revises all associated language throughout the *Zoning Ordinance* in order to remain consistent with the provisions of the Americans with Disabilities Act of 1990 and the Fair Housing Act.
- IV. **Applicant:** City Planning Commission
- V. **Description:** State Law also requires that lawfully-established group homes serving aged, infirm, or disabled individuals must be regulated with no higher scrutiny by a locality than that which applies to a single-family residence.
- VI. **Historic Resources Impacts**  
N/A
- VII. **Public Schools Impacts**  
N/A


Staff point of contact: Matthew Simons at 664-4750, [matthew.simons@norfolk.gov](mailto:matthew.simons@norfolk.gov)

**Attachments:**

- Proponents and Opponents
- Staff Report to CPC dated June 23, 2016 with attachments
- Ordinance

**Planning Commission Public Hearing: June 23, 2016**

Executive Secretary: George M. Homewood, FAICP, CFM 

Planner: Matthew Simons, AICP, CZA, CFM 

Staff Report	Item No. C - 2	
Applicant	City Planning Commission	
Request	Zoning Text Amendment	Zoning Text Amendment to section 2-3, "Definitions," of the <i>Zoning Ordinance</i> to amend the definition of "Family" and "Group Home," add new definitions for "Disabled Individual" and "Single Housekeeping Unit," and make related reference changes throughout in order to better align the <i>Zoning Ordinance</i> with both State and Federal law regarding reasonable accommodations for any individuals protected by the provisions of the Americans with Disabilities Act or the Fair Housing Act.

**A. Summary of Request**

The request amends the definitions of "Family" and "Group Home" as defined within the City's *Zoning Ordinance*, add definitions for "Disabled Individual" and "Single Housekeeping Unit," and revises all associated language throughout the *Zoning Ordinance* in order to remain consistent with the provisions of the Americans with Disabilities Act of 1990 and the Fair Housing Act.

**B. Plan Consistency**

N/A

**C. Zoning Analysis**

- The *Zoning Ordinance of the City of Norfolk, 1992*, as amended, does not specifically recognize certain forms of disability in a manner consistent with Federal definitions and requirements for how localities must provide reasonable accommodations for such protected classes of individuals.
- State Law also requires that lawfully-established group homes serving aged, infirm, or disabled individuals must be regulated with no higher scrutiny by a locality than that which applies to a single family residence.
  - Consistent with Federal and State law, the proposed changes would not apply the term *Disabled Individuals* to any individual who currently engages in the illegal use of a controlled substance, nor any individual who presents a direct threat to the health, safety or property of others.
- The amendment has been drafted with and coordinated by the City Attorney's Office.

**D. Transportation Impacts**

N/A

**E. Historic Resources Impacts**

N/A

**F. Public Schools Impacts**

N/A

**G. Environmental Impacts**

N/A

**H. AICUZ Impacts**

N/A

**I. Surrounding Area/Site Impacts**

N/A

**J. Payment of Taxes**

N/A

**K. Civic League**

N/A

**L. Communication Outreach/Notification**

Legal notification was placed in *The Virginian-Pilot* on June 9 and June 16.

**M. Recommendation**

Staff recommends that the text amendment request be **approved**.

**Attachments:**

Proposed text



**Proponents and Opponents**


**Proponents**

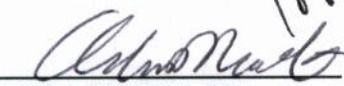
None

**Opponents**

None

Form and Correctness Approved: 

Contents Approved: 

By   
Office of the City Attorney

By   
DEPT.

NORFOLK, VIRGINIA

## ORDINANCE No.

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NORFOLK, 1992, SO AS TO ADJUST DEFINITIONS AND REFERENCES TO MAINTAIN CONSISTENCY WITH THE REQUIREMENT THAT A LICENSED GROUP HOME SHALL BE TREATED THE SAME AS A SINGLE-FAMILY RESIDENCE.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That Section 2-3 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Definitions," is hereby amended and reordained so as to amend the definitions for "Family" and "Group home" and to create definitions for the new terms of "Disabled individual" and "Single housekeeping unit" so as to maintain consistency with a state law requirement that a licensed group home shall be treated, for zoning purposes, the same as a single-family residence. The definitions shall read as forth in "Exhibit A," attached hereto.

Section 2:- That Section 2-3 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Definitions," is hereby amended and reordained so as to repeal and remove the definition for "Handicapped" for the reasons stated in Section 1, above, of this ordinance.

Section 3:- That Sections 4-1.3, 4-2.3, 4-3.3, 4-4.3, 4-5.3, 4-6.3, 4-7.3, 4-8.3, 4-9.3, and 4-10.4 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended) are hereby amended and reordained so as to remove the listed use of "Group Home for the Handicapped" from each table for the reasons stated in Section 1, above, of this ordinance. The tables shall read as forth in "Exhibit B," "Exhibit C," "Exhibit D," "Exhibit E," "Exhibit F," "Exhibit G," "Exhibit H," "Exhibit J," "Exhibit K," and "Exhibit L," all attached hereto.

Section 4:- That Sections 4-11.4, 4-12.4, 4-13.4, 4-14.4, and 4-15.4 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended) are hereby amended and reordained so as to remove the listed uses of "Group Home for the Handicapped" and "Group Home"

from each table for the reasons stated in Section 1, above, of this ordinance. The tables shall read as forth in "Exhibit M," "Exhibit N," "Exhibit O," "Exhibit P," and "Exhibit R," all attached hereto.

Section 5:- That Section 16.4 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended) is hereby amended and reordained so as to remove the listed use of "Group Home for the Handicapped" from the table for the reasons stated in Section 1, above, of this ordinance. The table shall read as forth in "Exhibit S," attached hereto.

Section 6:- That Table 4-A, Table 4-B, and Table 10-A of the Zoning Ordinance of the City of Norfolk, 1992 (as amended) are hereby amended and reordained so as to remove the listed uses of "Group Home for the Handicapped" and "Group Home" from each table for the reasons stated in Section 1, above, of this ordinance. The tables shall read as forth in "Exhibit T," "Exhibit U," and "Exhibit V," all attached hereto.

Section 7:- That Table 11-51-A of the Zoning Ordinance of the City of Norfolk, 1992 (as amended) is hereby amended and reordained so as to remove the listed use of "Group Home for the Handicapped" from the table for the reasons stated in Section 1, above, of this ordinance. The table shall read as forth in "Exhibit W," attached hereto.

Section 8:- That Section 15-6.4 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended) is hereby amended and reordained so as to remove the reference to a "group home" for the reasons stated in Section 1, above, of this ordinance. The text shall read as forth in "Exhibit X," attached hereto.

Section 9:- That Table 27-22-A of the Zoning Ordinance of the City of Norfolk, 1992 (as amended) is hereby amended and reordained so as to remove the listed uses of "Group Home for the Handicapped" and "Group Home" from the table for the reasons stated in Section 1, above, of this ordinance. The table shall read as forth in "Exhibit Y," attached hereto.

Section 10:- The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

Section 11:- That this ordinance shall be in effect from the date of its adoption.



ATTACHMENTS:

Exhibit A (2 pages)  
Exhibit B (1 page)  
Exhibit C (1 page)  
Exhibit D (1 page)  
Exhibit E (1 page)  
Exhibit F (1 page)  
Exhibit G (1 page)  
Exhibit H (1 page)  
Exhibit J (1 page)  
Exhibit K (1 page)  
Exhibit L (1 page)  
Exhibit M (1 page)  
Exhibit N (1 page)  
Exhibit O (2 pages)  
Exhibit P (2 pages)  
Exhibit R (2 pages)  
Exhibit S (1 page)  
Exhibit T (4 pages)  
Exhibit U (3 pages)  
Exhibit V (7 pages)  
Exhibit W (2 pages)  
Exhibit X (1 page)  
Exhibit Y (3 pages)

## EXHIBIT A

### 2-3 Definitions.

*Disabled individual:* Any individual with a physical or mental disability, including recovering from drug or alcohol abuse, or who otherwise possess a disability or handicap which is protected by the provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. section 12101) or the Fair Housing Act, as amended (42 U.S.C. section 3601 *et seq.*), but not including any individual who currently engages in the illegal use of a controlled substance as defined in either section 54.1-3401 of the Code of Virginia or section 102 of the Controlled Substance Act (21 U.S.C. section 802), nor any individual who, with or without a disability or handicap, presents a direct threat to the health, safety or property of others.

...

*Family.*

- (a) One (1) or more persons related by blood, marriage, adoption, or legal guardianship, including foster children, living together as a Single Housekeeping Unit in a dwelling unit; or
- (b) A group of not more than four (4) persons not related by blood, marriage, adoption, or legal guardianship living together as a Single Housekeeping Unit in a dwelling unit; or
- (c) Two (2) unrelated persons and their children living together as a Single Housekeeping Unit in a dwelling unit; or
- (d) A group of individuals residing in a dwelling unit in accordance with the standards and requirements of a Group Home.

The term "family" does not include any group of people living in a dwelling unit as members or residents of a club, a lodge, a rooming house, or a fraternity/sorority house.

...

*Group home.*

- (a) A residential facility shared by eight (8) or fewer aged, infirm, or Disabled Individuals residing in a dwelling with one or more resident counselors or other staff persons operated in compliance with a license issued by the Virginia Department of Social Services or the Virginia Department of Behavioral Health and Developmental Services; or



- (b) A residential facility shared by eight (8) or fewer Disabled Individuals operating as a Single Housekeeping Unit and providing for the protection and well-being of the residents.

This definition does not include care facilities such as nursing homes, shelter care or intermediate care facilities.

...

*Single Housekeeping Unit.* A form of occupancy of a residential dwelling in which all of the individuals occupying the building interact and associate with each other such that they maintain established ties and familiarity with each other and share (i) possession or ownership of the entire property, resources, furniture, personal items, (ii) cleaning and maintenance of the dwelling, and (iii) use of bathrooms, a kitchen, common eating areas, and common recreational and living areas. Facts which support a determination that a group of unrelated individuals is living together as a single housekeeping unit include: sharing the entire dwelling unit and not acting as separate roomers, a single lease with all members of the group listed as lessees, proof of sharing expenses for food, rent, utilities, and other household expenses, sharing ownership of furnishings and appliances, interacting with each other on a frequent basis, maintaining a permanent and not transient living arrangement, establishing a basis for the housekeeping unit that is not temporary in nature, and other factors reasonably related to distinguishing whether the group of individuals is the functional equivalent of a family.

## Exhibit B

4-1.3 *Minimum lot area and lot width.* The minimum lot areas and lot widths permitted in this district are as follows:

Permitted Use	Minimum Lot Area	Minimum Lot Width
(a) <i>Principal Permitted Use</i> Residential	25,000 sq. ft.	100 ft.
(b) <i>Other Permitted Uses</i> Governmental Operations (non-industrial) Utility Facility	25,000 sq. ft. None None	100 ft. None None

## Exhibit C

4-2.3 *Minimum lot area and lot width.* The minimum lot areas and lot widths permitted in this district are as follows:

Permitted Use	Minimum Lot Area	Minimum Lot Width
(a) <i>Principal Permitted Use</i> Residential	20,000 sq. ft.	100 ft.
(b) <i>Other Permitted Uses</i>  Governmental Operations (non-industrial) Utility Facility	20,000 sq. ft. None None	100 ft. None None



## Exhibit D

4-3.3 *Minimum lot area and lot width.* The minimum lot areas and lot widths permitted in this district are as follows:

Permitted Use	Minimum Lot Area	Minimum Lot Width
(a) <i>Principal Permitted Use</i> Residential	15,000 sq. ft.	100 ft.
(b) <i>Other Permitted Uses</i>  Governmental Operations (non-industrial) Utility Facility	15,000 sq. ft. None None	100 ft. None None

## Exhibit E

4-4.3 *Minimum lot area and lot width.* The minimum lot areas and lot widths permitted in this district are as follows:

Permitted Use	Minimum Lot Area	Minimum Lot Width
(a) <i>Principal Permitted Use</i> Residential	12,000 sq. ft.	100 ft.
(b) <i>Other Permitted Uses</i>  Governmental Operations (non-industrial) Utility Facility	12,000 sq. ft. None None	100 ft. None None

## Exhibit F

4-5.3 *Minimum lot area and lot width.* The minimum lot areas and lot widths permitted in this district are as follows:

Permitted Use	Minimum Lot Area	Minimum Lot Width
(a) <i>Principal Permitted Use</i> Residential	10,000 sq. ft.	100 ft.
(b) <i>Other Permitted Uses</i>  Governmental Operations (non-industrial) Utility Facility	10,000 sq. ft. None None	100 ft. None None



## Exhibit G

4-6.3 *Minimum lot area and lot width.* The minimum lot areas and lot widths permitted in this district are as follows:

Permitted Use	Minimum Lot Area	Minimum Lot Width
(a) <i>Principal Permitted Use</i> Residential	7,500 sq. ft.	75 ft.
(b) <i>Other Permitted Uses</i>  Governmental Operations (non-industrial) Utility Facility	7,500 sq. ft. None None	75 ft. None None

## Exhibit H

4-7.3 *Minimum lot area and lot width.* The minimum lot areas and lot widths permitted in this district are as follows:

Permitted Use	Minimum Lot Area	Minimum Lot Width
(a) <i>Principal Permitted Use</i> Residential	6,000 sq. ft.	60 ft.
(b) <i>Other Permitted Uses</i>  Governmental Operations (non-industrial) Utility Facility	6,000 sq. ft. None None	60 ft. None None

## Exhibit J

4-8.3 *Minimum lot area and lot width.* The minimum lot areas and lot widths permitted in this district are as follows:

Permitted Use	Minimum Lot Area	Minimum Lot Width
(a) <i>Principal Permitted Use</i> Residential	5,000 sq. ft.	50 ft.
(b) <i>Other Permitted Uses</i>  Governmental Operations (non-industrial) Utility Facility	5,000 sq. ft. None None	50 ft. None None



## Exhibit K

4-9.3 *Minimum lot area and lot width.* The minimum lot areas and lot widths permitted in this district are as follows:

Permitted Use	Minimum Lot Area	Minimum Lot Width
(a) <i>Principal Permitted Use</i> Residential	4,000 sq. ft.	40 ft.
(b) <i>Other Permitted Uses</i>  Governmental Operations (non-industrial) Utility Facility	4,000 sq. ft. None None	40 ft. None None

## Exhibit L

4-10.4 *Minimum lot area and lot width.* The minimum lot areas and lot widths permitted in this district are as follows:

Permitted Use	Minimum Lot Area	Minimum Lot Width
(a) <i>Principal Permitted Use</i> Townhouse <sup>2</sup>	2,000 sq. ft.	20 ft.
(b) <i>Other Permitted Uses</i>  Governmental Operations (non-industrial) Utility Facility	None None	None None
(c) <i>Special Exception Uses</i> Recreation Center, Community (private) <sup>1</sup> Recreation Center, Community (public) <sup>1</sup> Religious Institution <sup>1</sup>	20,000 sq. ft. 20,000 sq. ft. 20,000 sq. ft.	100 ft. 100 ft. 100 ft.
<b>Notes:</b> <sup>1</sup> Maximum lot coverage for Recreation Center, Community (private) and Recreation Center, Community (public) is 45 percent (45%); for Religious Institution is 65 percent (65%). <sup>2</sup> Lots narrower than the minimum lot width set forth in this table may be permitted in certain character districts by special exception and such lots may be required to have a certain minimum lot width to be eligible for special exception review and approval, as set forth in Table 4-A, below.		

## Exhibit M

4-11.4 *Minimum lot area and lot width.* The minimum lot areas and lot widths permitted in this district are as follows:

Permitted Use		Minimum Lot Area	Minimum Lot Area Per Unit	Minimum Lot Width Per Structure	Minimum Lot Width
(a)	Principal Permitted Use				
	Single-Family <sup>1</sup>	5,000 sq. ft.	5,000 sq. ft.	37.5 ft.	37.5 ft.
	Residential – Semi-Detached Dwelling	2,500 sq. ft.	2,500 sq. ft.	25 ft.	25 ft.
	Two-Family	5,000 sq. ft.	2,500 sq. ft.	25 ft.	50 ft.
	Multi-Family (3—6 units)	10,000 sq. ft.	2,900 sq. ft.	100 ft.	100 ft.
(b)	Other Permitted Uses				
	Congregate Housing	20,000 sq. ft.	600 sq. ft.	100 ft.	100 ft.
	Governmental Operations (non-industrial)	None	—	None	None
	Utility Facility	None	—	None	None

**Notes:**

<sup>1</sup> On any lot at least 37.5 feet in width but less than 50 feet in width, the residential dwelling shall be constructed so as to conform in all respects to the massing, scale, appearance, fenestration, roof lines and other exterior elements, including but not limited to porches, decks, pedestrian entrances, and stairways, with any of those designs shown to be prevalent in the surrounding neighborhood according to either "A Pattern Book for Norfolk Neighborhoods" dated 2003, prepared by Urban Design Associates and on file with the Department of Planning or any other pattern book developed for and approved by the city and maintained by the Department of Planning for use in the vicinity of the lot.



## Exhibit N

4-12.4 *Minimum lot area and lot width.* The minimum lot areas and lot widths permitted in this district are as follows:

Permitted Use		Minimum Lot Area	Minimum Lot Area Per Unit	Minimum Lot Width Per Structure	Minimum Lot Width
(a)	Principal Permitted Use				
	Single-Family <sup>1</sup>	5,000 sq. ft.	5,000 sq. ft.	37.5 ft.	37.5 ft.
	Residential – Semi-Detached Dwelling	2,500 sq. ft.	2,500 sq. ft.	25 ft.	25 ft.
	Two-Family	5,000 sq. ft.	2,500 sq. ft.	25 ft.	50 ft.
	Multi-Family (3—6 units)	10,000 sq. ft.	2,200 sq. ft.	100 ft.	100 ft.
(b)	Other Permitted Uses				
	Congregate Housing	20,000 sq. ft.	600 sq. ft.	100 ft.	100 ft.
	Governmental Operations (non-industrial)	None	—	None	None
	Utility Facility	None	—	None	None

**Notes:**

<sup>1</sup> On any lot at least 37.5 feet in width but less than 50 feet in width, the residential dwelling shall be constructed so as to conform in all respects to the massing, scale, appearance, fenestration, roof lines and other exterior elements, including but not limited to porches, decks, pedestrian entrances, and stairways, with any of those designs shown to be prevalent in the surrounding neighborhood according to either "A Pattern Book for Norfolk Neighborhoods" dated 2003, prepared by Urban Design Associates and on file with the Department of Planning or any other pattern book developed for and approved by the city and maintained by the Department of Planning for use in the vicinity of the lot.

## EXHIBIT O

4-13.4 *Minimum lot area and lot width.* The minimum lot areas and lot widths permitted in this district are as follows:

	Permitted Use	Minimum Lot Area	Minimum Lot Area Per Unit	Minimum Lot Width Per Structure	Minimum Lot Width
(a)	Principal Permitted Uses				
	Single-Family	5,000 sq. ft.	5,000 sq. ft.	50 ft.	50 ft.
	Residential – Semi-Detached Dwelling <sup>2</sup>	2,500 sq. ft.	2,500 sq. ft.	25 ft.	25 ft.
	Two-Family	5,000 sq. ft.	2,500 sq. ft.	25 ft.	50 ft.
	Townhouse <sup>2</sup>	6,000 sq. ft.	2,000 sq. ft.	20 ft.	60 ft.
	Multi-Family	10,000 sq. ft.	1,800 sq. ft.	100 ft.	100 ft.
(b)	Other Permitted Uses				
	Congregate Housing	20,000 sq. ft.	600 sq. ft.	100 ft.	100 ft.
	Governmental Operations (non-industrial)	None	—	None	None
	Utility Facility	None	—	None	None
(c)	Special Exception Uses				
	Recreation Center, Community (private) <sup>1</sup>	20,000 sq. ft.	—	100 ft.	100 ft.
	Recreation Center, Community (public) <sup>1</sup>	20,000 sq. ft.	—	100 ft.	100 ft.
	Religious Institution <sup>1</sup>	20,000 sq. ft.	—	100 ft.	100 ft.
	Day Care Center	10,000 sq. ft.	—	75 ft.	75 ft.
	Fraternity and Sorority House	10,000 sq. ft.	60 sq. ft.	75 ft.	75 ft.

**Notes:**

<sup>1</sup> Maximum lot coverage for Recreation Center, Community (private) and Recreation Center, Community (public) is 45 percent (45%); for Religious Institution is 65 percent (65%).

<sup>2</sup> Lots narrower than the minimum lot width per structure set forth in this table may be permitted in certain character districts by special exception and such lots may be required to have a certain minimum lot width to be eligible for special exception review and approval, as set forth in Table 4-A, below.



## EXHIBIT P

4-14.4 *Minimum lot area and lot width.* The minimum lot areas and lot widths permitted in this district are as follows:

	Permitted Use	Minimum Lot Area	Minimum Lot Area Per Unit	Minimum Lot Width Per Structure	Minimum Lot Width
(a)	Principal Permitted Uses				
	Single-Family	5,000 sq. ft.	5,000 sq. ft.	50 ft.	50 ft.
	Residential – Semi-Detached Dwelling <sup>2</sup>	2,500 sq. ft.	2,500 sq. ft.	25 ft.	25 ft.
	Two-Family	5,000 sq. ft.	2,500 sq. ft.	25 ft.	50 ft.
	Townhouse <sup>2</sup>	6,000 sq. ft.	2,000 sq. ft.	20 ft.	60 ft.
	Multi-Family	10,000 sq. ft.	1,333 sq. ft.	100 ft.	100 ft.
(b)	Other Permitted Uses				
	Congregate Housing	20,000 sq. ft.	600 sq. ft.	100 ft.	100 ft.
	Governmental Operations (non-industrial)	None	—	None	None
	Utility Facility	None	—	None	None
(c)	Special Exception Uses				
	Recreation Center, Community (private) <sup>1</sup>	20,000 sq. ft.	—	100 ft.	100 ft.
	Recreation Center, Community (public) <sup>1</sup>	20,000 sq. ft.	—	100 ft.	100 ft.
	Religious Institution <sup>1</sup>	20,000 sq. ft.	—	100 ft.	100 ft.
	Day Care Center	10,000 sq. ft.	—	75 ft.	75 ft.
	Fraternity and Sorority House	10,000 sq. ft.	60 sq. ft.	75 ft.	75 ft.

**Notes:**

<sup>1</sup> Maximum lot coverage for Recreation Center, Community (private) and Recreation Center, Community (public) is 45 percent (45%); for Religious Institution is 65 percent (65%).



<sup>2</sup> Lots narrower than the minimum lot width per structure set forth in this table may be permitted in certain character districts by special exception and such lots may be required to have a certain minimum lot width to be eligible for special exception review and approval, as set forth in Table 4-A, below.

## EXHIBIT R

4-15.4 *Minimum lot area and lot width.* The minimum lot areas and lot widths permitted in this district are as follows:

	Permitted Use	Minimum Lot Area	Minimum Lot Area Per Unit	Minimum Lot Width Per Structure	Minimum Lot Width
(a)	Principal Permitted Uses				
	Single-Family	5,000 sq. ft.	5,000 sq. ft.	50 ft.	50 ft.
	Residential – Semi-Detached Dwelling <sup>2</sup>	2,500 sq. ft.	2,500 sq. ft.	25 ft.	25 ft.
	Two-Family	5,000 sq. ft.	2,500 sq. ft.	25 ft.	50 ft.
	Townhouse <sup>2</sup>	6,000 sq. ft.	2,000 sq. ft.	20 ft.	60 ft.
	Multi-Family	10,000 sq. ft.	1,000 sq. ft.	100 ft.	100 ft.
(b)	Other Permitted Uses				
	Congregate Housing	20,000 sq. ft.	600 sq. ft.	100 ft.	100 ft.
	Governmental Operations (non-industrial)	None	—	None	None
	Utility Facility	None	—	None	None
(c)	Special Exception Uses				
	Recreation Center, Community (private) <sup>1</sup>	20,000 sq. ft.	—	100 ft.	100 ft.
	Recreation Center, Community (public) <sup>1</sup>	20,000 sq. ft.	—	100 ft.	100 ft.
	Religious Institution <sup>1</sup>	20,000 sq. ft.	—	100 ft.	100 ft.
	Day Care Center	10,000 sq. ft.	—	75 ft.	75 ft.
	Fraternity and Sorority House	10,000 sq. ft.	60 sq. ft.	75 ft.	75 ft.

**Notes:**

<sup>1</sup> Maximum lot coverage for Recreation Center, Community (private) and Recreation Center, Community (public) is 45 percent (45%); for Religious Institution is 65 percent (65%).

<sup>2</sup> Lots narrower than the minimum lot width per structure set forth in this table may be permitted in certain character districts by special exception and such lots may be required to

have a certain minimum lot width to be eligible for special exception review and approval, as set forth in Table 4-A, below.

## EXHIBIT S

4-16.4 *Minimum lot area and lot width.* The minimum lot areas and minimum lot widths permitted in the district shall be as follow:

Permitted Use	Minimum Lot Area	Minimum Lot Area Per Unit	Minimum Lot Width Per Unit	Minimum Lot Width
Residential – Semi-Detached Dwelling <sup>1</sup>	2,500 sq. ft.	2,500 sq. ft.	25 ft.	25 ft.
Single-family	3,500 sq. ft.	3,500 sq. ft.	—	35 ft.
Single-family with auxiliary structure	5,000 sq. ft.	—	25 ft.	50 ft.
Townhouse <sup>1</sup>	6,000 sq. ft.	2,000 sq. ft.	20 ft.	60 ft.

**Note:**

<sup>1</sup> Lots narrower than the minimum lot width per unit set forth in this table may be permitted in certain character districts by special exception and such lots may be required to have a certain minimum lot width to be eligible for special exception review and approval, as set forth in Table 4-A, below.



# EXHIBIT T

RESIDENTIAL DISTRICTS  
TABLE 4-A – TABLE OF LAND USES

LAND USES	RESIDENTIAL DISTRICTS																COMMENTS
P = Permitted Use																	
S = Special Exception Use	R-1	R-2	R-3	R-4	R-5	R-6	R-7	R-8	R-9	R-10	R-11	R-12	R-13	R-14	R-15	UR	
RESIDENTIAL USES																	
Congregate Housing											P	P	P	P	P		
Day Care Home - large lot (maximum of 9 children)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		Minimum lot area of 6,000 sq. ft. required  Subject to the requirements of § 4-0.5 Day care home
Day Care Home - small lot (maximum of 9 children)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		Minimum lot area of 5,000 sq. ft. required  Subject to the requirements of § 4-0.5 Day care home
Day Care Home (more than 9 children)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		Minimum lot area of 10,000 sq. ft. required  Maximum of 12 children;  Subject to the requirements of § 4-0.5 Day care home and § 25-10.2.2 Day care home

LAND USES	RESIDENTIAL DISTRICTS																COMMENTS
P = Permitted Use																	
S = Special Exception Use	R-1	R-2	R-3	R-4	R-5	R-6	R-7	R-8	R-9	R-10	R-11	R-12	R-13	R-14	R-15	UR	
Dormitory											S	S	S	S	S		
Fraternity/Sorority House											S	S	S	S	S		
Multi-Family (3-6 units)											P	P	P	P	P		
Multi-Family (7 or more units)											S	S	P	P	P		
Rooming House											S	S	S	S	S		Subject to the requirements of City Code § 22-27 – 34
Semi-Detached Dwelling											P	P	P	P	P	P	Lot must be a minimum of 25 feet in width
Semi-Detached Dwelling (on lots equal to or greater than 16 but less than 25 feet in width)													S	S	S	S	Only allowed in the Traditional and Downtown character district
Single-Family	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	Auxiliary units allowed in UR District by special exception; subject to the requirements of § 4-16
Townhouse										P			P	P	P	P	Lot must be a minimum of 20 feet in width

LAND USES	RESIDENTIAL DISTRICTS																COMMENTS
P = Permitted Use																	
S = Special Exception Use	R-1	R-2	R-3	R-4	R-5	R-6	R-7	R-8	R-9	R-10	R-11	R-12	R-13	R-14	R-15	UR	
Townhouse (on lots equal to or greater than 16 but less than 20 feet in width)										S			S	S	S	S	Only allowed in the Traditional and Downtown character district
Townhouse (on lots less than 16 feet in width)										S			S	S	S	S	Only allowed in the Downtown character district
Two-Family											P	P	P	P	P		
COMMERCIAL USES																	
Bed and Breakfast Home											S	S	S	S			Subject to the requirements of § 25-10.10 Bed and Breakfast
PUBLIC AND CIVIC USES (Sites < 1 Acre)																	
Community Dock	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Day Care Center, Adult											S	S	S	S	S		
Day Care Center, Child											S	S	S	S	S		Subject to the requirements of § 25-10.2 Day care center
Day Care Center, Child (only as accessory uses to nonresidential uses)	S	S	S	S	S	S	S	S	S	S							Subject to the requirements of §25-10.2 Day care center; on lots at least 20,000 square feet in area

[illegible]



## EXHIBIT U

**TABLE 4-B**  
**YARD REQUIREMENTS RESIDENCE DISTRICTS**  
**(In Linear Feet)**

District	Residential Uses	Front Yard	Corner Side Yard <sup>(3)</sup>	Interior Side Yard <sup>(3)</sup>	Rear Yard
R-1	Single-Family	Avg./25 <sup>(1)</sup>	25	10	25
R-2	Single-Family	Avg./25 <sup>(1)</sup>	25	10	25
R-3	Single-Family	Avg./25 <sup>(1)</sup>	25	10	25
R-4	Single-Family	Avg./25 <sup>(1)</sup>	25	10	25
R-5	Single-Family	Avg./25 <sup>(1)</sup>	10	10	25
R-6	Single-Family	Avg./25 <sup>(1)</sup>	10	5	25
R-7	Single-Family	Avg./25 <sup>(1)</sup>	10	5	25
R-8	Single-Family	Avg./25 <sup>(1)</sup>	10	5	25
R-9	Single-Family	Avg./25 <sup>(1)</sup>	10	3	25
R-10 through R-15 and UR	Townhouse or Semi-Detached Dwelling (located in Traditional or Downtown character district)	Minimum = 5 Maximum = 12	10	5	20
R-10 through R-15 and UR	Townhouse or Semi-Detached Dwelling (located in Suburban character district)	Minimum = 10 Maximum = 15 <sup>(5)</sup>	10	10 <sup>(6)(7)</sup>	20

R-11	Single-Family and Two-Family (lots at least 50 feet in width)	20	10	5	25
R-11	Single-Family (lots less than 50 feet in width)	20	10	3.5	25
R-11	Multi-Family—Moderate Density	20	10	10 <sup>(4)</sup>	25
R-12	Single-Family and Two-Family (lots at least 50 feet in width)	20	10	5	20
R-12	Single-Family (lots less than 50 feet in width)	20	10	3.5	20
R-12	Multi-Family—Medium Density	20	10	10 <sup>(4)</sup>	20
R-13	Multi-Family—Moderately High Density	20	10	10 <sup>(2)</sup>	25
R-14	Multi-Family—High Density	20	10	10 <sup>(2)</sup>	25
R-15	Multi-Family—High Density	20	10	10 <sup>(2)</sup>	25
UR	Single-Family (with or without auxiliary structure)	15	5	3.5	5
	<b>Nonresidential Uses</b>				
	Recreation Center, Community (private)	25	10	25	25
	Recreation Center, Community (public)	25	10	25	25
	Congregate Housing	20	10	10	25
	Park	None	None	None	None
	Religious Institution	25	10	25	25

	Day Care Center, Child	25	10	25	25
	Day Care Center, Adult	25	10	25	25
	Dormitory	20	10	10	25
	Fraternity/Sorority House	20	10	10	25
	Utility Facility	20	10	10	25
	Governmental Operations (non-industrial)	20	10	10	25

**Notes:**

- (1) Front yard requirements may be the average of the existing front yards on adjacent properties; however, in no case shall such front yard be required to be more than twenty-five (25) feet. If there are no structures on an adjacent zoning lot the required front yard of that zoning lot shall be twenty-five (25) feet.
- (2) The required interior yard shall be five (5) feet for single-, semi-detached and two-family residences.
- (3) On nonconforming residential lots which are less than 40 feet in width, side yards or corner side yards not less than three (3) feet shall be provided.
- (4) Side yards shall have a combined width of not less than thirty (30) feet, and there shall be at least ten (10) feet of space between buildings on the same site.
- (5) Upon consideration and approval of a special exception requesting such, these minimum and maximum dimensions for the required front yard of any townhouse or semi-detached dwelling located in the Suburban character district may be modified.
- (6) Whenever the interior yard abuts a residential zoning district that requires less than a ten (10) foot interior side yard, the interior side yard required for the townhouse or semi-detached dwelling may be reduced to match the interior side yard requirement of the abutting residential zoning district.
- (7) The required interior yard located at the ends of any joined set of townhouses or semi-detached dwellings shall be five (5) feet.



# EXHIBIT V

**SPECIAL PURPOSE DISTRICTS  
TABLE 10-A – TABLE OF LAND USES**

LAND USES	DISTRICTS															COMMENTS
P = Permitted Use S = Special Exception Use	IN-1	IN-2	MHP	GA	OSP	MI	UV	EBH	OVR	CA	43rd- RV	TOD-C	TOD-S	G-1		
RESIDENTIAL USES																
Congregate Housing	P	P										S	S			
Dormitory		P					P									
Fraternity, Sorority House		P					P					S				
Manufactured Home			P													
Mixed Uses							P	P				P	P	P		
Multi-Family (3-6 units)							P	P	P			P	P	P	TOD-C and TOD-S: using the standards of the R-14 District	
Multi-Family (7 or more units)							P	P	P	P		P	S	P	TOD-C and TOD-S: using the standards of the R-15 District	
Nursing Home	P	P														
Semi-Detached Dwelling												S	S			
Single-Family									P				P		TOD-C and TOD-S: using the standards of the R-8 District	
Townhouse							P	P			P	P	P	P	TOD-C and TOD-S: using the standards of the R-10 District	





LAND USES	DISTRICTS															COMMENTS
P = Permitted Use S = Special Exception Use	IN-1	IN-2	MHP	GA	OSP	MI	UV	EBH	OVR	CA	43rd-RV	TOD-C	TOD-S	G-1		
Car Wash				S												
Commercial Drive-Through							S							S	Subject to the requirements of § 25-10.8 Commercial drive-through facility	
Convenience Store, 24-Hours (no fuel sales)				P* S**			S	S				S	S		GA: *Permitted Use within terminal complex only, **Special Exception Use outside terminal complex	
Eating and Drinking Establishment	S	S		S	S		S	S				S	S	S	Subject to the requirements of § 25-10.1 Adult uses	
Eating Establishment	P	P		P	P		P	P				P	P	P		
Entertainment Establishment	S	S		S	S		S	S				S	S	S	Subject to the requirements of § 25-10.1 Adult uses	
Farmer’s Market												P				
Financial Institution		P		P				P				P	P	P		
Flea Market, Indoor																
Funeral Home													P			
Gas Station														S	Subject to the requirements of § 25-10.3 Automobile repair and gas station. Subject to the requirements of §13-6.6 Motor fuel pumps, islands and curbs.	
Health and Fitness Facility				P			P	P				P	S	P		

LAND USES	DISTRICTS															COMMENTS
P = Permitted Use S = Special Exception Use	IN-1	IN-2	MHP	GA	OSP	MI	UV	EBH	OVR	CA	43rd-RV	TOD-C	TOD-S	G-1		
Hotel/Motel		S		S			P					P		P	Subject to the permit requirements of Norfolk City Code chapter 22, article II (§ 22-27 et seq.)	
Kennel (with no outdoor area)				P												
Marina (with or without boat repair)								P								
Mini-Warehouse													S			
Recreation Center, Commercial				S			S					S	S		GA: Within terminal complex only	
Recreational Sports, Indoor							S					P	S	P		
Recreational Sports, Outdoor					P		S									
Retail Goods Establishment		P		P			P	P				P	P	P	IN-2: limited to a pharmacy	
Retail Goods Establishment (operating after midnight)				P* S**			S	S				S	S	S	GA: *Permitted Use within terminal complex only, **Special Exception Use outside terminal complex	
Retail Services Establishment		P		P			P	P				P	P	P	IN-2: limited to medical supplies and equipment	



LAND USES	DISTRICTS														COMMENTS
	IN-1	IN-2	MHP	GA	OSP	MI	UV	EBH	OVR	CA	43rd-RV	TOD-C	TOD-S	G-1	
P = Permitted Use S = Special Exception Use															
Retail Services Establishment (operating after midnight)				P* S**			S	S				S	S	S	GA: *Permitted Use within terminal complex only, **Special Exception Use outside terminal complex
Sale of Alcoholic Beverages for Off-Premise Consumption		S	S	S	S		S	S				S	S	S	Subject to the requirements of § 25-10.1 Adult uses
Studio, Arts							P					P	P		
Studio, Dance							P					P	P	P	
Taxicab Operation				S											
Theater	P						P					S		P	
Therapeutic Massage Facility				P											
Used Books/Media Sales				P											
Used Merchandise Sales															
Vendor		P			P										Subject to the requirements of City Code § 42 – Article I-A
<b>PUBLIC AND CIVIC USES</b>															
Airport				P											
Amphitheater, Arena, Stadium							P								
Boat Ramp					P										
Broadcast Studio	S	P					P							P	



[illegible]

[illegible]

## EXHIBIT W

**BROAD CREEK GATEWAY OVERLAY  
TABLE 11-51-A – TABLE OF LAND USES**

LAND USE	DISTRICT		COMMENTS
P = Permitted Use S = Special Exception Use	Where Underlying Zoning is Residential	Where Underlying Zoning is Nonresidential	
RESIDENTIAL USES			
Mixed Uses		P	
Single-Family	P		
OFFICE USES			
Office		P	
Office/Clinic, Medical		P	
Office, Veterinary		P	
COMMERCIAL USES			
Art Gallery		P	
Commercial Drive-Through		S	Subject to the requirements of § 25-10.8 Commercial drive-through facility
Convenience Store, 24-Hours (no fuel sales)		S	
Convenience Store, 24-Hours (with fuel sales)		S	Subject to the requirements of § 25-10.3 Automobile repair and gas station. Subject to the requirements of §13-6.6 Motor fuel pumps, islands and curbs.
Eating and Drinking Establishment		S	Subject to the requirements of § 25-10.1 Adult uses
Eating Establishment		P	
Entertainment Establishment		S	Subject to the requirements of § 25-10.1 Adult uses



Financial Institution		P	
Gas Station		S	Subject to the requirements of § 25-10.3 Automobile repair and gas station. Subject to the requirements of §13-6.6 Motor fuel pumps, islands and curbs.
Health and Fitness Facility		P	
Retail Goods Establishment		P	
Retail Goods Establishment (operating after midnight)		S	
Retail Services Establishment		P	
Retail Services Establishment (operating after midnight)		S	
Sale of Alcoholic Beverages for Off-Premises Consumption		S	Subject to the requirements of § 25-10.1 Adult uses
Studio, Arts		P	
Studio, Dance		P	
<b>PUBLIC AND CIVIC USES (Sites &lt; 1 Acre)</b>			
Day Care Center, Adult		S	
Day Care Center, Child		S	Subject to the requirements of § 25-10.2 Day care center
Governmental Operations (non-industrial)	P	P	
Museum		P	
Park	P	P	
Utility Facility	P	P	



## EXHIBIT X

### 15-6.4 Minimum bicycle parking requirements.

...

(b) *Exemptions.*

- (1) No bicycle parking spaces are required for any of the following:
  - (A) Any single-family dwelling or two-family dwelling.
  - (B) Any industrial use.
  - (C) Any non-residential use located on property in the D-2, D-3, or D-4 zoning districts.
- (2) No short-term bicycle spaces are required for any residential use located on property in the D-2, D-3, or D-4 zoning districts.

...

## EXHIBIT Y

**PD-MU EAST BEACH**  
**Table 27-22-A — TABLE OF LAND USES**

LAND USES	DISTRICT	COMMENTS
<b>P = Permitted Use</b> <b>S = Special Exception Use</b>	<b>PD-MU East Beach</b>	
<b>RESIDENTIAL USES</b>		
Mixed Use	P	
Multi-Family (3 to 6 units)	P	
Multi-Family (more than 7 units)	P	
Semi-Detached Dwelling	P	
Single-Family	P	
Townhouse	P	
Two-Family	P	
<b>OFFICE USES</b>		
Office	P	
Office/Clinic, Medical	P	
<b>COMMERCIAL USES</b>		
Art Gallery	P	
Bed and Breakfast	P	Maximum of 5 permitted by-right. Any additional require a Special Exception – subject to the requirements of §25-10.10, Bed and breakfast
Boat Sales and Services	P	
Commercial Drive-Through	S	Subject to the requirements of § 25-10.8 Commercial drive-through facility

LAND USES	DISTRICT	COMMENTS
P = Permitted Use S = Special Exception Use	PD-MU East Beach	
Eating Establishment	P	
Eating and Drinking	S	Subject to the requirements of § 25-10.1 Adult uses
Entertainment Establishment	S	Subject to the requirements of § 25-10.1 Adult uses
Farmer's Market	P	
Financial Institution	P	
Funeral Home	S	
Gas Station	S	Subject to the requirements of § 25-10.3 Automobile repair and gas station. Subject to the requirements of §13-6.6 Motor fuel pumps, islands and curbs.
Health and Fitness Facility	P	
Hotel/Motel	S	Subject to the permit requirements of Norfolk City Code chapter 22, article II (§ 22-27 et seq.)
Personal Watercraft Rental	S	Subject to the requirements of § 25-10.6 Rental of personal watercraft
Recreation Center, Commercial	S	
Recreational Sports, Indoor	S	
Recreational Sports, Outdoor	S	
Retail Goods Establishments	P	
Retail Services Establishments	P	
Sale of Alcoholic Beverages for Off- Premises Consumption	S	Subject to the requirements of § 25-10.1 Adult uses
Studio, Arts	P	
Studio, Dance	P	
Theater	S	
<b>PUBLIC AND CIVIC USES (Sites &lt; 1 Acre)</b>		
Broadcast Studio	S	

LAND USES	DISTRICT	COMMENTS
P = Permitted Use S = Special Exception Use	PD-MU East Beach	
Communication Tower (commercial)	S	Subject to the requirements of § 25-10.5 Communication Towers
Day Care Center Adult	P	
Day Care Center, Child	P	
Educational Facility, College/University	S	
Educational Facility, K-8	P	
Educational Facility, 6-12	P	
Governmental Operations (non- industrial)	P	
Membership Organization	S	
Museum	S	
Park	P	
Recreation Center, Community (private)	P	
Recreation Center, Community (public)	P	
Religious Institution	S	
Utility Facility	P	